

Appl.No.: 10/081,355  
Amd. dated 01/09/2006  
Response to Office Action of 09/09/2005

### REMARKS/ARGUMENTS

Claims 1-8 are pending in the application; reexamination and reconsideration are hereby requested.

Claims 1-6 were rejected as anticipated by Gersho. With regard to independent claim 1, the Examiner pointed to Fig.8, column 5, lines 49-51 and column 14, lines 40-42, and interpreted "truncation" as encoding.

Applicants reply that claim 1 is a playout method, whereas Gersho Fig.8 has no suggestion of playout. Indeed, the "delay" noted Fig.8 is pitch delay and not packet transmission delay; see Gersho column 15, lines 22, 49. Furthermore, coding is not "truncation" as required by claim 1.

With regard to independent claim 4, the Examiner pointed to Fig.14 and column 28, lines 46-53 for the frame expansion.

Applicants reply that Gersho Fig.14 and column 28, lines 46-53 is just CELP frame decoding, whereas claim 4 requires frame expansion (i.e., extend beyond the original length) in a playout method. There is no suggestion of frame expansion in Gersho.

Claims 7-8 were rejected as unpatentable over Gersho in view of Maeda. The Examiner pointed to Gersho Fig.14 for a decoder and frame expansion and added Maeda for a playout scheduler.

Applicants repeat the foregoing argument that Gersho does not suggest frame expansion as required by independent claim 7.

Consequently, the claims are patentable over the references.

Respectfully submitted,



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